

442277



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Boyse et al.

Rule 60 Continuation of U.S. Serial No. 07/950,356 filed September 24, 1992

Group Art Unit: To be assigned

Filed: On even date herewith

Examiner: To be assigned

Serial No. To be assigned

Attorney Docket No.: 6287-026

For: ISOLATION AND PRESERVATION OF FETAL AND NEONATAL HEMATOPOIETIC STEM AND PROGENITOR CELLS OF THE BLOOD

FEE TRANSMITTAL SHEET

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

The fee required to be filed with the accompanying preliminary amendment of even date herewith concerning the above-identified application has been estimated to be \$477.00.

The claim amendment fee has been estimated as shown below:

(Col. 1)				(Col. 2)		(Col. 3)		SMALL ENTITY		OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT				HIGHEST NO PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE	ADDIT. FEE	OR	RATE
TOTAL	*	53	MINUS **	20	=	33	X 11	\$363.00		X 22	\$
INDEP.	*	6	MINUS ***	3	=	3	X 38	\$114.00		X 76	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM								+ 120		+ 240	\$
								TOTAL	\$477.00	OR	TOTAL \$
								ADDIT. FEE	\$477.00		

Please charge the required fee to Pennie & Edmonds Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Date May 16, 1995

S. Leslie Misrock 18,872
S. Leslie Misrock (Reg. No.)

11.90105 05/31/95 08442277
11.90106 05/31/95 08442277

By Adriane M. Antler 32,605
16-1150-000 114.00CH 6287-026 (Reg. No.)

PENNIE & EDMONDS
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090

Enclosure

EXPRESS MAIL CERTIFICATION

"Express Mail" label No. TB 595 175 306 US Date of Deposit May 16, 1995
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ANDREA SILVERMAN
Andrea Silverman
(Signature of person submitting paper or fee)

PENY2-374085.1

A

PENNIE & EDMONDS

COUNSELLORS AT LAW

1155 Avenue of the Americas

New York, N.Y. 10036-2711

(212) 790-9090



ATTORNEY DOCKET NO.: 6287-026

Date May 16, 1995

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Re: Rule 60 Continuation of U.S. Patent Application Serial No. 07/950,356 filed September 24, 1992, entitled "ISOLATION AND PRESERVATION OF FETAL AND NEONATAL HEMATOPOIETIC STEM AND PROGENITOR CELLS OF THE BLOOD" by Boyse et al.

S I R:

We are transmitting herewith the above-identified paper or papers by Express Mail as indicated below.

EXPRESS MAIL CERTIFICATION

"Express Mail" mailing label number TB 595 175 306 US date of deposit May 16, 1995.

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ANDREA SILVERMAN

(Type or print name of person mailing paper or fee)

(Signature of person mailing paper or fee)

Respectfully submitted,

S. Leslie Misrock

18,872

(Reg. No.)

By:

Adriane M. Antler

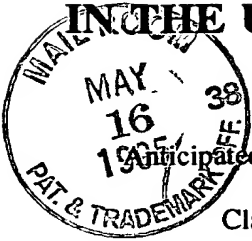
32,605

(Reg. No.)

PENNIE & EDMONDS

Enclosure

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Anticipated Classification of this application:

Class (subclass) _____

Prior application:

Examiner B. Stanton

Art Unit 1804

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.60, of pending prior application serial no. 07/950,356 filed on September 24, 1992

of Edward A. Boyse, Hal E. Broxmeyer, and Gordon W. Douglas
(inventor(s) currently of record in prior application)

for ISOLATION AND PRESERVATION OF FETAL AND NEONATAL
HEMATOPOIETIC STEM AND PROGENITOR CELLS OF THE BLOOD
(title of invention)

1. ☒ Enclosed is a copy of the prior application, including the oath or declaration, as originally filed in application serial no. 07/269,926 filed November 10, 1988 of which application serial no. 07/950,356 filed September 24, 1992 is a continuation application under 37 C.F.R. § 1.60. I hereby verify that the enclosed is a true copy of the prior application.
2. ☐ Enclosed is a copy of the prior application, including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy.
3. ☒ The filing fee is calculated below:

EXPRESS MAIL CERTIFICATION

"Express Mail" label No. TB 595 175 306 US Date of Deposit May 16, 1995
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

ANDREA SILVERMAN

(Type or print name of person making paper or fee)
(Signature of person making paper or fee)

PENY2-371744.1

**CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS
CANCELLED BY AMENDMENT BELOW**

PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	1	-20	0	\$22.00 each	0.00
Independent	1	-3	0	\$76.00 each	0.00
Basic Fee					730.00
Multiple Dependency Fee If Applicable (\$240.00)					
Total					730.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					-
Total Filing Fee					\$ 365.00

4. ☒ Please charge the required fee to Pennie & Edmonds Deposit Account No. 16-1150. A copy of this sheet is enclosed.
5. ☒ Cancel in this application original claims 1-9 and 11-59 of the prior application by preliminary amendment before calculating the filing fee (At least one original independent claim must be retained for filing purposes).
6. ☒ Amend the specification by inserting on page 5, line 12, after "This application" the following: is a continuation of application serial no. 07/950,356, filed September 24, 1992, which is a continuation of application serial no. 07/269,926 filed November 10, 1988, which ^{now U.S. Patent No. 5,192,553,}
- 7a. ☐ Transfer the drawings from the prior application to this application and abandon the prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
- 7b. ☐ New formal drawings are enclosed.
- 7c. ☒ Informal drawings are enclosed.
- 8a. ☐ Priority of application serial no. $\phi\phi$ filed on $\phi\phi$ in $\phi\phi$ is claimed under 35 U.S.C. §119.
- 8b. ☐ The certified copy has been filed in prior application serial no. $\phi\phi$, filed $\phi\phi$.
9. ☒ The prior application is assigned of record to Biocyte Corporation, a New York corporation, having an address at 610 Fifth Avenue, New York, New York 10020.

PENNIE & EDMONDS DOCKET NO. 6287-026

- 10a. ☒ The Power of Attorney appears in the original papers in the prior application serial no. 07/269,926 filed November 10, 1988, of which application serial no. 07/950,356, filed September 24, 1992 is a continuation.
- 10b. ☐ Since the Power of Attorney does not appear in the original papers, a copy of the Power in prior application serial no. , filed is enclosed.
11. ☒ A preliminary amendment is enclosed.
12. ☐ A preliminary amendment will be filed after issuance of the filing receipt.
- 13a. ☒ Small entity status was established in prior application serial no. 07/269,926 filed November 10, 1988 of which application serial no. 07/950,356 filed September 24, 1992 is a continuation, and is still proper and desired.
- 13b. ☐ A verified statement claiming small entity status is enclosed.
14. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application serial no. _____, filed on _____ be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from serial no. _____ is enclosed.
15. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from serial no. _____ is the same as the content of the computer readable form submitted in application serial no. _____.
16. ☒ Additional enclosures or instructions: a copy of the Petition for Extension of Time filed on even date herewith for U.S. patent application serial no. 07/950,356 filed September 24, 1992, extending the time for response for 4 months up to and including May 17, 1995.
17. ☒ Address all future communications to PENNIE & EDMONDS, 1155 Avenue of the Americas, New York, New York 10036-2711.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

PENNIE & EDMONDS DOCKET NO. 6287-026

Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

May 16, 1995
(date)

S. Leslie Misrock / By Aduane Antler
(signature) 18,872 Reg. No.
(Reg No.) 32,605

Name and address of signator:

Inventor(s)

S. Leslie Misrock

Assignee of complete interest

1155 Avenue of the Americas

X Attorney or agent of record

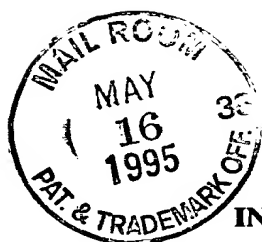
New York, New York 10036-2711

Filed under rule 34(a)

Tel. No. (212) 790-9090

PENNIE & EDMONDS

A



NR/442277

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Boyse et al.

Serial No.: 07/950,356

Art Unit: 1804

Filed: September 24, 1992

Examiner: B. Stanton

For: ISOLATION AND PRESERVATION
OF FETAL AND NEONATAL
HEMATOPOIETIC STEM AND
PROGENITOR CELLS OF THE
BLOOD

Attorney Docket No.: 6287-013

COPY

PETITION FOR EXTENSION OF TIME UNDER 37 CFR § 1.136(a)

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

It is respectfully requested that the time for filing an Appeal Brief subsequent to the filing of the Notice of Appeal dated November 17, 1994, be extended for a period of 4 month(s) from January 17, 1995 to and including May 17, 1995.

The fee for this extension is estimated to be \$680.00 (small entity). Please charge the required fee to Pennie & Edmonds Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Date May 16, 1995

S. Leslie Misrock 18,872
S. Leslie Misrock (Reg. No.)

By: Adriane M. Antler 32,605
Adriane M. Antler (Reg. No.)

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1155 Avenue of the Americas
New York, N.Y. 10036-2711
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ANDREA SILVERMAN

Andrea Silverman
(Signature of person mailing paper or fee)

PENY2-371938.1